

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MOHAMMED THANI A.T. AL THANI,

Plaintiff,

-v-

ALAN J. HANKE *et al.*,

Defendants.

20 Civ. 4765 (JPC)

ORDER

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MARTIN JOHN STEVENS,

Plaintiff,

-v-

ALAN J. HANKE *et al.*,

Defendants.

20 Civ. 8181 (JPC)

ORDER

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JOHN P. CRONAN, United States District Judge:


On May 20, 2021, Plaintiff Stevens filed a motion to consolidate the above-captioned actions: *Stevens v. Hanke et al.*, No. 20 Civ. 8181 (JPC) (S.D.N.Y.) (“Stevens Action”) and *Al Thani v. Hanke et al.*, 20 Civ. 4765 (JPC) (S.D.N.Y.) (“Al Thani Action”). Stevens Action, Dkts. 76-79. On September 17, 2021, Plaintiff Al Thani filed a letter “request[ing] that the Court, if necessary, provide guidance as to Plaintiff’s intention to serve third-party subpoenas” for the purpose of “discover[ing] the trail of Plaintiff’s funds.” Al Thani Action, Dkt. 228 at 2-3. Plaintiff Al Thani also requested that the Court “enter a briefing schedule in [the Stevens Action] for Martin Stevens’s motion to consolidate that case with Plaintiff’s case.” *Id.* at 3. During the September 27, 2021 conference in the Al Thani Action, the Court directed Plaintiff Al Thani to file a letter

regarding his views as to “(1) whether the Court may consider the motion to consolidate filed in [the Stevens Action] and (2) whether Plaintiff may issue third party subpoenas, in light of the automatic stay as to Defendants Hanke, IOLO Global, and Sherry Sims pursuant to 11 U.S.C. § 362.” The Court similarly directed Plaintiff Stevens to advise the Court as to his view on “whether the Court may decide the pending motion to consolidate given the application of the automatic stay under section 362 with respect to Sims, Hanke, and IOLO, with legal authorities to support its position.” Stevens Action, Dkt. 92. Pursuant to the Court’s order, Plaintiff Al Thani submitted his letter on October 11, 2021, *see* Al Thani Action, Dkt. 239, and Plaintiff Stevens submitted his letter on October 12, 2021, *see* Stevens Action, Dkt. 93.

Having reviewed Plaintiff Al Thani’s and Plaintiff Stevens’s letters, the Court hereby ORDERS that Plaintiffs Al Thani and Stevens may issue third-party subpoenas to seek evidence related to the unstayed claims against the non-debtor Defendants in the respective Actions. The Court further finds that the parties may resume briefing on Plaintiff Stevens’s motion to consolidate. Accordingly, it is hereby ORDERED that the parties shall file any opposition to Plaintiff Stevens’s motion to consolidate by January 7, 2022 and file any reply by January 14, 2022.

SO ORDERED.

Dated: November 23, 2021  
New York, New York

  
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JOHN P. CRONAN  
United States District Judge